

Resolution No.:	16-540
Introduced:	January 15, 2008
Adopted:	May 13, 2008

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Approval of a Franchise Agreement with Cavalier IPTV, LLC for Cable Television Service

**Background**

1. Chapter 8A of the County Code governs franchise agreements for cable systems. In evaluating an application for a new cable franchise, the County must consider:
  - a) the applicant's character; the applicant's technical, financial, and legal qualifications to construct and operate the proposed system;
  - b) the nature of the proposed facilities, equipment, and services;
  - c) the applicant's record of cable performance in other communities, if any; and
  - d) whether the proposal will serve the public interest.
2. Under Section 8A-9(k), the Council may, within the applicable time provided in Section 8A-28(d): grant the franchise; grant the franchise with conditions, which may modify or override any provision of the proposed franchise agreement; remand the franchise agreement to the Executive with specific recommendations to renegotiate any provision of the proposed franchise agreement and submit a revised agreement to the Council for approval; or deny the application for a franchise.
3. On October 29, 2007, the County received a completed application for a cable franchise from Cavalier IPTV, LLC.
4. On November 14, 2007, the County Executive held a public hearing on the franchise application.
5. On December 21, 2007, the Council received the Executive's recommendation to grant a franchise to Cavalier IPTV, LLC for a 15-year cable television franchise.
6. On February 5, 2008, the Council held a public hearing on the proposed franchise.

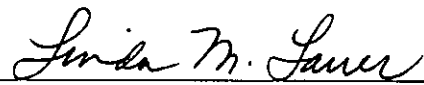
7. On March 11, 2008, the Council extended time for action on the proposed franchise until May 13, 2008.
8. In a letter dated May 5, 2008, Cavalier IPTV, LLC withdrew its cable franchise application with the County.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The Council denies the franchise with Cavalier IPTV, LLC because Cavalier IPTV, LLC withdrew its application for a cable franchise agreement.

This is a correct copy of Council action.

  
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Linda M. Lauer, Clerk of the Council